

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR APPLICANT MISTAKES and PTO MISTAKES (37 C.F.R. §§ 1.322(a) and 1.323)

To:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTN:

Decision and Certificate of Correction

Branch of the Patent Issue Division

From:

Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)

Wells St. John P.S.

601 W. First Avenue, Suite 1300

Spokane, WA 99201-3828

Sir:

It is hereby requested that a Certificate of Correction be issued with respect to Patent No. 6,946,039 B1, granted September 20, 2005, in accordance with the Certificate of Correction form attached hereto in duplicate.

It is noted that errors appear in this patent of a typographical nature of character, as more fully described below. The errors occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination.

06/06/2006 MGEBREM2 00000028 6946039

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The other error listed on the Certificate of Correction form was apparently incurred through the fault of the PTO as will be disclosed by the records of files in the Office.

Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

The exact page and line number where the errors occur in the application file are:

Page 5, line 15

Page 7, line 3

Page 20, line 27

Page 23, line 1 and 28

Enclosed is a check in the amount of \$100.00, as required by 37 CFR 1.20(a).

ed: 11/ay 31,2006

Respectfully submitted,

Jennifer J. Taylor, Ph.D.

Reg. No/. 48,711

#### UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO: :6,946,039 B1

DATED

:September 20, 2005

INVENTOR(S)

:Segal et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Item (56) References Cited, Other Publications - Insert "R.Z. Valiev et al., "Plastic deformation of alloys with submicron-grained structure", Materials Science and Engineering, A137 (1991) pp. 35-40.

Column 3, line 47 – Replace "comprise" with --comprises--.

Column 4, line 40 - Replace "a an b" with --a and b--.

Column 12, line 12 - Replace "insure" with --ensure--.

Column 14, line 16 - After "can" insert --be--.

Column 14, line 56 - Replace "5h)" with --5h--.

Page 1 of 1

Mailing Address of Sender:

Wells St. John P.S. 601 West First Avenue, Suite 1300 Spokane, WA 99201-3828

Patent No. 6,946,039 B1

JIII 8 2006

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Patent No. 6,946,039 B1

JIN 0 5 2006

106 <sup>4</sup>		Approv	ed for use	PTO/SB/21 (09-04) through 07/31/2006. OMB 0651-0031							
Under the Paperwork Reduction Act of 1995.	U.S. Find persons are required to respond to a colling Application Number	lection of informatio	ark Office; on unless it	U.S. DEPARTMENT OF COMMERCE displays a valid OMB control number.							
		09/705,101	09/705,101								
TRANSMITTAL	Filing Date	November 2, 200	November 2, 2000								
FORM	First Named Inventor	Vladimir Segal									
	Art Unit	1742									
(to be used for all correspondence after initial f		lp, Sikyin	p, Sikyin								
Total Number of Pages in This Submission	Attorney Docket Number	30-5076(4015)									
ENCLOSURES (Check all that apply)											
Fee Transmittal Form Fee Attached  Amendment/Reply After Final Affidavits/declaration(s)  Extension of Time Request Express Abandonment Request Information Disclosure Statement  Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatio Change of Correspondence A Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks	Address 2 F Ce Co	Appea of Appea (Appea Propri Status Other below Return Po rtificate o	Allowance Communication to TC al Communication to Board beals and Interferences al Communication to TC al Notice, Brief, Reply Brief) etary Information a Letter Enclosure(s) (please Identify ): stcard Receipts; Request for f Correction; Certificate of n Duplicate							
	TURE OF APPLICANT, ATTO	RNEY, OR A	SENT								
Firm Name Wells St. John P.S.	_										
Signature Jennier /	Taylor										
Printed name Jennifer J. Jaylor, Ph.D.	1										
Date May 30, 2006	F	Reg. No. 48,71	1								
CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:											
Cimanton	white										
Typed or printed name Jaime White		· · · · · ·	Date	May 30, 2006							

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (01-06)
Approved for use through 07/31/2006, OMB 0651-0032
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ADEMA				Complete if Known							
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).						705,101 6946039					
FEE TRANSMITTAL I			Filing Date		November 2, 2000						
For FY 2006			First Named Inve		Vladimir Segal						
			Examiner Name		lp, Sikyin						
Applicant claims small entity status. See 37 CFR 1.27			Art Unit	1742							
TOTAL AMOUNT OF PAYM	ENT (\$)	100.00		Attorney Docket		30-5076(4015)					
METHOD OF PAYMENT (check all that apply)											
Check Credit Card Money Order None Other (please identify):											
Deposit Account Deposit Account Number: 23-0925  For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)											
Charge fee(s) indicated below  Charge fee(s) indicated below.											
under 37 CFR 1.16 and 1.17											
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.											
FEE CALCULATION (All	the fees	below are due u	pon fi	ling or may be s	subjec	t to a su	rcharge.)	)			
1. BASIC FILING, SEARC											
	FILING F	EES mall Entity	SEAR	CH FEES Small Entity	EXAM	INATION Small	V FEES Entity				
Application Type	Fee (\$)	Fee (\$)	<u>Fee (\$</u>	Fee (\$)	<u>Fee</u>		(\$)	Fees Paid (\$)			
Utility	300	150	500	250	200	10	0				
Design	200	100	100	50	130	6	5	<del></del>			
Plant	200	100	300	150	160	8	0	<del></del>			
Reissue	300	150	500	250	600	30	0	<del></del>			
Provisional	200	100	0	0	0		0				
2. EXCESS CLAIM FEES	;					F	ee (\$)	Small Entity Fee (\$)			
Fee Description Each claim over 20 (in	cluding Re	eissues)				_	50	25			
Each independent clair			es)				200	100			
Multiple dependent cla	ims	_					360	180			
Total Claims				Paid (\$)		<u>M</u>	ultiple De	pendent Claims			
			=	<del></del>		<u> </u>	ee (\$)	Fee Paid (\$)			
	aims paid foi Extra Claim	<u>Fee (\$)</u>		Paid (\$)		_		<del></del>			
3 or HP = x = HP = highest number of independent claims paid for, if greater than 3.											
3. APPLICATION SIZE FEE											
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50											
sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).											
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)											
- 100 = / 50 = (round up to a whole number) x = 4. OTHER FEE(S) Fees Paid (\$)											
Non-English Specification, \$130 fee (no small entity discount)											
Other (e.g., late filing surcharge): Request for Certificate of Correction 100.00											
SUBMITTED BY											
ignature Registration No. (Attorney/Agent) Telephone (509)624-4276											

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type) Jennifer J. / aylor, Ph.D.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Date May 30, 2006